

REMARKS/ARGUMENTS

After a Preliminary Amendment was filed on August 27, 2003, Claims 1-19 were active in the case.

In a discussion with the Examiner the Examiner indicated that Claim 16 would be in Group I, Claims 17 and 18 would be in Group II and Claim 19 would be in Group III.

The Examiner states that the inventions of Groups II and I are related as process of making and product made under M.P.E.P. §806.05(f) and that the fibers could be coated prior to formation of the fabric.

However, it can be seen from the recitation of Claim 9 that the formation of the absorbent material involves coating of a fibrous material at least in part with an oleophilic coating and that there is no recitation of the formation of a fabric in the claims of either Group I or II. Therefore, it is submitted that the process set forth by the Examiner as materially different for forming the product of Group I, in fact, encompasses the claims of Group II and, therefore, is not a materially different process for forming the product of Group I. It is requested that the claims of Groups I and II be rejoined and examined in the present application.

The Examiner states that the inventions of Groups I and III are related as product and process of use under M.P.E.P. §806.05(h) and that the product could be used as part of a door mat, a car washing mitt or a wipe.

However, the Examiner has advanced no reasons to support the contention that the sorbent material of Group I would be appropriate for use as a door mat, a car washing mitt or a wipe. In fact, the sorbent material is specifically indicated for use as an absorbent of pollutants and there is no suggestion that it could be used in the manner postulated by the Examiner. Therefore, it is submitted that a materially different process of using the product

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of Group I has not been established by the Examiner and it is requested that the claims of Groups I and III be rejoined and examined in the present application.

Accordingly, for the reasons presented above, it is submitted that the Patent and Trademark Office has failed to meet the requirements necessary to sustain the restriction requirement.

Withdrawal of the restriction requirement is respectfully requested.

Respectfully submitted,

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